

Congress of the United States
Washington, DC 20515

November 19, 2004

The Honorable George W. Bush
The White House
Washington, D.C. 20500

Dear Mr. President:

As you plan your visit with Canadian Prime Minister Martin, we are writing to ask that you take a strong stand for Michigan by urging Canada to immediately suspend municipal solid waste shipments into Michigan. Not only is the continuation of these shipments dangerous, but they also could harm the positive trade relations and tourism our countries have long shared. It is inexcusable that Ontario (where the trash originates) with all its vacant land uses our state as a dumping ground. We have repeatedly requested action from your administration without success.

Michigan is facing an intolerable and unsustainable situation with regard to the dumping of this waste from Canada – a situation that has only gotten worse over the past few years. Last summer, Michigan was receiving an average of 180 trucks per day from Canada. According to Customs and Border Patrol, the number has doubled to an average of 415 truckloads of waste come in to Michigan per day from Canada. It is simply outrageous that this continues. These shipments pose significant risk to the health and safety of our residents. The environmental impacts on limited landfill space in Michigan are exacerbated by the heavy use of our landfills from outside. Trucks carrying municipal solid waste from Canada also represent a security threat because the nature of the cargo - it is dense and variable - doesn't allow for border inspectors to detect anomalies. Several municipal waste trucks have been found carrying more than was listed on the manifest, such as illegal drugs, medical waste and large amounts of illicit cash. For each truck found with contraband, many more could be getting through the system.

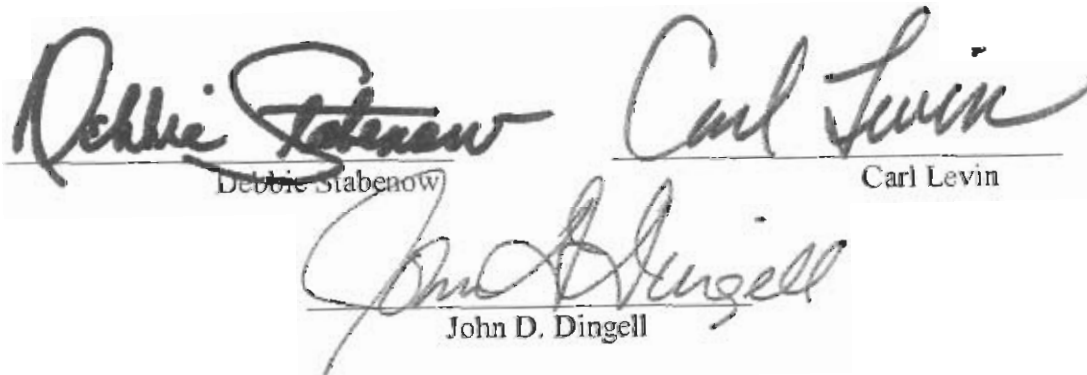
We have protections contained in an international agreement between the U.S. and Canada. In 1986, the U.S. and Canada entered into this agreement to allow the shipment of hazardous waste across the U.S./Canadian border for treatment, storage or disposal. In 1992, the two countries amended the Agreement to also cover the movement of municipal solid waste. The Agreement requires notification of shipments to the importing country and it also provides that the importing country may withdraw consent for shipments. These shipments were clearly intended to be limited. Unfortunately, the provisions of the Agreement have gone unenforced and the amount of waste dumped in Michigan landfills is out of control.

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For years we have attempted, without success, to get your Administration to enforce the 1992 Agreement and to inspect the trash. You have the opportunity at your upcoming meeting to remedy this inaction by insisting that Prime Minister Martin address this problem. Article 5.3 of the 1992 Agreement specifically provides that pending issuance of regulations, "the Parties will make best efforts to provide notification in accordance with this Agreement where current regulatory authority is insufficient." Clearly "best efforts" does not mean that the countries can ignore this requirement.

Until both countries comply with the terms of the Agreement *and* the U.S. Bureau of Customs and Border Protection is able to adequately inspect these vehicles, we urge you to press Prime Minister Martin to stop these shipments.

Sincerely,



Debbie Stabenow Carl Levin
John D. Dingell